

## Message Text

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PAGE 01 JERUSA 00948 281353Z  
ACTION SCSE-00

INFO OCT-01 NEA-10 ISO-00 L-03 SCA-01 DHA-02 /017 W  
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RUEHC/SECSTATE WASHDC PRIORITY 9131  
INFO AMEMBASSY TEL AVIV

UNCLAS JERUSALEM 0948

E.O. 11652: N/A  
TAGS: CARR  
SUBJ: LEGAL REPRESENTATION AVAILABLE TO AMERICANS ARRESTED  
ABROAD

REF: STATE 147704

1. PUBLIC DEFENDER WILL BE PROVIDED GRATIS TO ANY PRISONER,  
REGARDLESS OF NATIONALITY, IN EACH OF THE FOLLOWING CASES:

A. CASE INVOLVES A FELONY WITH A POSSIBLE SENTENCE OF OVER  
3 YEARS IMPRISONMENT AND THE DEFENDENT IS NOT REPRESENTED  
BY PRIVATE COUNSEL.

B. THE DEFENDANT IS UNDER THE AGE OF 16 AND IS NOT REPRESENTED  
BY PRIVATE COUNSEL.

C. THE JUDGE FEELS THAT THE NAMING OF A PUBLIC DEFENDER IS  
REQUIRED BY THE FACTS OF THE CASE.

D. THE DEFENDANT REQUESTS THAT A PUBLIC DEFENDER BE NAMED  
AND THE JUDGE CONCURS.

2. PUBLIC DEFENDERS ARE NOT GOVERNMENT ATTORNEYS, BUT PRIVATE  
ATTORNEYS ASKED BY THE COURT TO DEFEND THE ACCUSED. THE  
ATTORNEYS CAN REFUSE THE REQUEST. THE JUDGE IS NOT REQUIRED  
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TO APPOINT A PUBLIC DEFENDER IF HE BELIEVES THAT THE  
DEFENDANT HAS THE FINANCIAL MEANS TO HIRE PRIVATE COUNSEL.

3. AS PUBLIC DEFENDERS ARE PRIVATE ATTORNEYS, THE QUALITY  
OF PUBLIC FUNDED LEGAL ASSISTANCE IS EQUIVALENT TO THAT OF  
PAID, PRIVATE COUNSEL. IN EACH CASE, CHANCE FACTORS AS TO  
COMPETENCE OF THE INDIVIDUAL ATTORNEY DETERMINE THE QUALITY OF

THE DEFENSE. THE ONE DRAWBACK TO HAVING A PUBLIC DEFENDER  
APPOINTED IS TIME, AND THERE IS USUALLY A LAG OF SEVERAL DAYS  
WHILE AN ATTORNEY IS SELECTED BY THE COURT, CONTACTED, AND  
ENTERS THE CASE.

4. THIS INFORMATION WAS PROVIDED TO US BY THE ISRAELI MINISTRY  
OF JUSTICE.  
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## Message Attributes

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